

FILED
DISTRICT COURT OF GUAM

MAR 8 2005

MARY L.M. MORAN
CLERK OF COURT

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DISTRICT COURT OF GUAM
TERRITORY OF GUAM

UNITED STATES OF AMERICA,

Criminal Case No. 05-00021-001

Plaintiff,

vs.

BRIAN WILLIAM ELM,

Defendant.

ORDER

IT IS HEREBY ORDERED that the trial in this matter is set for **May 3, 2005** at **9:30 a.m.** Pretrial motions shall be filed no later than APRIL 11, 2005 and heard on April 26, 2005 at 10:00 a.m.

IT IS FURTHER ORDERED that the following be filed or lodged with this Court no later than April 26, 2005 (seven calendar days prior to trial):

- 1) Proposed jury voir dire questions;
- 2) An original and one copy of the exhibit list - (Government's exhibits numbered; Defendant's exhibits lettered);
- 3) Three complete sets of marked and tabbed exhibits in three-ring binders. A copy of the Exhibit List shall be included in each three-ring binder. The parties shall meet and confer sufficiently in advance of trial and formulate a set of joint exhibits, if possible, to eliminate duplicate exhibits. Those exhibits upon which agreement cannot be reached shall be submitted separately by each respective party;
- 4) Any documents to be used in the examination of

witnesses, but not to be introduced into evidence, such as police reports, investigative reports or witness statements - (one copy must be lodged with the Court);

- 5) Proposed verdict forms;
- 6) An original and one copy of witness lists for purposes of voir dire only - (Witness lists shall include: legal names, aliases, nicknames, place of residence and place of employment); and
- 7) Proposed jury instructions - (Those jury instructions upon which an agreement cannot be reached shall be submitted in a separate packet, together with the objections and authority therefor of each party).

IT IS FURTHER ORDERED THAT:

- 1) If additional witnesses are to be called or additional exhibits are to be submitted, an original and one copy of a supplemental witness list or a supplemental exhibit list must be filed with the Court. Additionally, three copies of pre-marked supplemental exhibits must be lodged with the Court prior to their use at trial. The three copies of the pre-marked exhibits must have three holes punched on the left-hand side so that they can be easily inserted in the three-ring exhibit binders previously submitted by the parties.
- 2) If during the course of the trial, additional documents will be used in the examination of witnesses, but not introduced into evidence, one copy of each document shall be lodged with the Court prior to its use at trial.

Date: March 8, 2005


JOAQUIN V. E. MANIBUSAN, JR.
U.S. MAGISTRATE JUDGE